



**NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM**

**PROGRAMME: B.A.LL.B.(HONS.)FYIC**

**DETAILS OF COURSE OFFERED**

**EVEN SEMESTER (VIII) – ACADEMIC YEAR .....**

<b>SL NO</b>	<b>COURSE CODE</b>	<b>COURSE TITLE</b>	<b>L</b>	<b>T</b>	<b>P</b>	<b>CR</b>	<b>CH</b>
<b>1</b>	<b>805 IL SP III</b>	<b>INTERNATIONAL ORGANIZATIONS</b>	<b>4 PER WEEK</b>		<b>1 PER WEEK</b>	<b>4</b>	

**A. CODE AND TITLE OF THE COURSE: 805 IL SP III,  
INTERNATIONAL ORGANIZATIONS**

**B. COURSE CREDIT: 4 (TOTAL MARKS 200)**

**C. MEDIUM OF INSTRUCTION: ENGLISH**

**D. COURSE COMPILED BY: DR. GITANJALI GHOSH**

**E. COURSE INSTRUCTOR: DR. GITANJALI GHOSH**

## **1. COURSE OBJECTIVES**

Traditionally, international law was the law that governed the conduct of States in their relations with each other. Gradually, international law has also come to govern individuals, international organizations and even corporations. International organizations are playing a pivotal role in world politics and have developed to respond to the growing necessities of the international community and to govern the interrelationship between states. It is widely believed that international organizations are contributing to the maintenance of international peace and security and working towards bringing rule of law and democratic governance in international legal system.

In the light of the growing importance of international organizations in international law, it is not only desirable but also imperative for students to have a thorough knowledge of the subject. Hence, the primary objective of this course is to generate and sustain an interest to study this constituent of international law in the minds of the students.

As the students are already familiar with the basics of international law, this course will take their study one notch higher.

The objectives of the course, in particular, are as follows:

- Provide students with an understanding of the law of international organizations
- Introduce students to the theoretical bases of international organizations
- Introduce students to the powers and functions of international organizations including treaty making
- Elucidate the privileges and immunities of international organizations
- Map the future of international organizations

## **2. TEACHING METHODOLOGY**

The teaching methodology shall aim at the generation of critical thinking among the students. The topic for a particular class shall be informed to the students beforehand and readings shall be assigned to them for the said topic. They are expected to have a basic idea about the topic prior to the class. Subsequent to a brief lecture on the topic, there shall be class discussion on the same as well as on the readings assigned. Pursuant to the class discussion, the teacher shall substantiate the issues raised and answer any questions posed or left unanswered. Debates shall also be organized at regular intervals.

## **3. COURSE OUTCOMES**

At the completion of the course, it is humbly expected that the students shall:

- Comprehend the subject matter of the course
- Be able to analyze contemporary international organization related problems in the light of the concepts learnt
- Be able to articulate their ideas on the subject matter of the course
- Produce at least one research paper of publishable quality
- Desire to take up international law for further studies

#### **4. COURSE EVALUATION METHOD**

The course shall be assessed for 200 marks. The examinations shall be closed book. Internal assessment shall carry 70% (140 marks) and external assessment shall carry 30% (60 marks).

2 Assignments of 20 marks each	40 marks
Seminar	20 marks
2 Class Tests of 35 marks each	70 marks
Attendance	10 marks
Semester End Examination	60 marks

#### **5. DETAILED STRUCTURE OF THE COURSE (SPECIFYING COURSE MODULES AND SUB-MODULES)**

##### **MODULE I**

History of International Organizations

Definition of International Organizations

Classification of International Organizations

Legal Personality of International Organisations

##### **MODULE II**

###### **Theories of International Organizations**

- Liberal Theory
- Realist Theory
- Neoliberalism and Neorealism
- Marxist Theory
- Feminist Theory
- Social Constructivism Theory

##### **MODULE III**

###### **League of Nations**

- History
- Membership
- Organs
- Powers and Functions
- Causes for failure

## **United Nations**

- History
- Similarities and Dissimilarities with the League of Nations
- Membership
- Organs
- Powers and Functions
- Need for reform

## **Non- Governmental Organizations (NGO's)**

- Historical Perspective of NGOs
- Relationship between NGO's and IGO's
- Status of NGOs
- Influences of NGOs
- Limits of NGOs

## **MODULE IV**

### **International Organizations and the Law of Treaties**

- Formation of Treaties
- Reservations to Treaties
- Invalidity of Treaties
- Suspension and Termination of Treaties

### **Privileges and Immunities of International Organizations**

- Privileges and Immunities of the United Nations
- Privileges and Immunities of the Specialized Agencies
- Privileges and Immunities of Special Missions

### **Responsibility of International Organizations**

- Scope and Nature of Responsibility of International Organizations
- Concept of Internationally Wrongful Act of International Organizations
- Attribution of Conduct to International Organizations
- Responsibility of International Organizations in connection with an Act of another State or International Organization
- Breach of International Obligation
- Consequences of Breach
- Circumstances Precluding Wrongfulness
- Reparation

## 6. PRESCRIBED READINGS

- Philip Sands and Pierre Klein, *Bowett's Law of International Institutions* (6th edn, Sweet and Maxwell 2011) Chapter 1.
- Jan Klabbers, *An Introduction to International Institutional Law* (2nd edn, Cambridge University Press 2009) Chapters 1, 5, 8 and 13.
- Clive Archer, *International Organizations* (3rd edn, Routledge 2001) Chapters 1, 2, 3, 4 and 5.
- Henry G. Schermers & Niels M. Blokker, *International Institutional Law* (4th edn, Martinus Nijhoff Publishers 2003) Chapter 1.
- Roland Portmann, *Legal Personality in International Law* (Cambridge University Press 2010) Part I.
- Inis L. Claude, Jr., *Swords into Plowshares: The Problems and Progress of International Organisations* (4th edn, Random House 1971) Chapter 1 and 11.
- Oliver Daddow, *International Relations Theory* (Sage Publications 2013) Part II.
- Jean-Marc Coicaud and Veijo Heiskanen, *The Legitimacy of International Organizations* (United Nations University Press 2001) Chapters 5 and 6.
- Clive Archer, 'Theories of International Organizations' in *International Relations: Perspectives for the Global South* (Bhupinder S. Chimni and Siddharth Mallavarapu ed Pearson 2012) 358-372.
- Samuel J. Barkin, *International Organisation, Theories and Institutions* (Palgrave Macmillan 2006).
- Reinhold Reuterswiird, 'The Legal Nature of International Organizations' (1980) 49 NORDISK TIDSSKRIFT INT'L RET 14.
- P.R. Menon, 'The Legal Personality of International Organizations' (1992) 4 SRI LANKA J. INT'L L. 79.
- Nicolae Purda, Aspects On The International Legal Personality Of International Organizations
- Joseph M. Grieco, 'Anarchy and the Limits of Cooperation: A Realist Critique of the Newest Liberal Institutionalism' (1988) 42(3) INTERNATIONAL ORGANIZATION 485-507.
- John J. Mearsheimer, 'The False Promise of International Institutions' (1994-95) 19(3) INTERNATIONAL SECURITY 73-91. <sup>[1]</sup><sub>SEP</sub>
- Kenneth W. Abbott & Duncan Snidal, 'Why States act through formal International Organizations' (1998) 42(1) THE JOURNAL OF CONFLICT RESOLUTION 3.
- Robert O. Keohane, 'International Institutions: Two Approaches' (1988) 32(4) INTERNATIONAL STUDIES QUARTERLY 379.
- Lisa L. Martin and Beth A. Simmons, 'Theories and empirical studies of international institutions' (1998) 52(4) INTERNATIONAL ORGANIZATION 729-757.
- Benedetto Conforti, *The Law and Practice of the United Nations* (3rd edn, Martinus Nijhoff Publishers 2005).
- M.J. Peterson, *The UN General Assembly* (Routledge 2006).
- Edward C. Luck, *UN Security Council* (Routledge 2006).
- Jared Genser and Bruno Stagno Ugarte (eds), *The United Nations Security Council in the Age of Human Rights* (Cambridge University Press 2014).
- Margaret P. Karns & Karen A. Mingst, *International Organizations* (Viva Books 2010) Chapters 4, 5 and 12.

- Gu Zuxue, 'The Changes of the United Nations and the Structure of International Law in Modern Times: Celebrating the 70<sup>th</sup> Anniversary of the United Nations' (2016) 4 CHINA LEGAL SCIENCE 3-29.
- Miguel De Serpa Soares, 'UN70: Contribution of the United Nations to the Development of International Law' (2016) 40:1 THE FLETCHER FORUM OF WORLD AFFAIRS 99-112.
- Anna-Karin Lindblom, *Non-Governmental Organisations in International Law* (Cambridge University Press 2005) Part I.
- Peter R. Baehr, *Non-Governmental Human Rights Organizations in International Relations* (Palgrave Macmillan 2009) Chapters 2, 4, 5, 6 and 8.
- Shamima Ahmed, 'The Impact of NGOs on International Organizations: Complexities And Considerations' (2010-11) 36 BROOK. J. INT'L L. 817
- Rephael Ben-Ari, 'The International Legal Status of International Non-Governmental Organizations: The Century-Long Normative Debate and its Future Prospects' (2014-15) 23 CARDOZO J. INT'L & COMP. L. 1.
- Martin A. Olz, 'Non- Governmental Organizations in Regional Human Rights Systems' (1996-97) 28 COLUM. HUM. RTS. L. REV. 307.
- Karsten Nowrot, 'Legal Consequences of Globalization: The Status of Non-Governmental Organizations Under International Law' (1998-99) 6 IND. J. GLOBAL LEGAL STUD. 579.
- Kerstin Martens, *NGOs and the United Nations* (Palgrave Macmillan 2005).
- Lisa Jordan and Peter van Tuijl (eds), *NGO Accountability* (Earthscan 2006) Chapters 2 and 12.
- Kuljit Ahluwalia, *The Legal Status, Privileges and Immunities of the Specialized Agencies of the United Nations and Certain Other International Organizations* (Martinus Nijhoff 1964).
- Josef L. Kunz, 'Privileges and Immunities of International Organizations' (1947) 41(4) AMERICAN JOURNAL OF INTERNATIONAL LAW 828-862.
- Alexander Szalai, 'The future of international organizations' (1970) 10(3) SOC. SCI. INF. 151-171.
- Nico J. Schrijver, 'The Future of the Charter of the United Nations' (2006) 10 MAX PLANCK UNYB 1-34.

### **International Statutes**

- Covenant of the League of Nations
- Charter of the United Nations and the Statute of the International Court of Justice
- Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations 1986
- Convention on the Privileges and Immunities of the United Nations 1946
- Convention on the Privileges and Immunities of the Specialized Agencies 1947
- Convention on Special Missions 1969
- ILC Draft Articles on the Responsibility of International Organizations 2011